

RESOLUTION NO. RS2018-1365 (VERCHER) – This resolution would authorize the Department of Law to settle the personal injury claim of Adolfo Martinez against the Metropolitan Government in the amount of \$7,250.

On June 1, 2016, a police officer was stopped at the traffic light on Glenrose Avenue when he observed an individual sleeping at the wheel of a parked vehicle. Seeking to investigate, the officer activated his emergency lights and reversed his vehicle. The officer collided with the vehicle behind him, driven by Mr. Martinez.

Mr. Martinez sought treatment for cervical disk displacement and a sprain of his spine. His treatment involved being seen by a chiropractor for approximately one month. He has agreed to accept a total of \$7,250 in full settlement of this case, based upon \$4,690 for reimbursement of his medical expenses, plus \$2,560 for pain and suffering.

Pursuant to Tenn. Code Ann. § 29-20-205, governmental entities are responsible for injuries caused by the negligent acts of their employees within the scope of employment. The Department of Law recommends settlement of this claim for \$7,250.

Disciplinary action against the employee consisted of a written reprimand.

Fiscal Note: This \$7,250 settlement, along with the settlement per Resolution No. RS2018-1366, would be the eighth and ninth payments from the Self-Insured Liability Fund in FY19 for a cumulative total of \$519,750. The fund balance would be \$4,277,389 after these payments.